

REMARKS/ARGUMENTS

Claims 8, 9, 20 and 21 are pending. By this Amendment, claims 8 and 9 are amended, and new claims 20 and 21 are presented. Support for the amendments to claims 8 and 9 and new claims 20 and 21 can be found, for example, in the present specification at paragraph [0017], and in previously presented claims 8 and 9. No new matter is added. In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

Rejection Under 35 U.S.C. §103

The Office Action rejects claims 8 and 9 under 35 U.S.C. §103(a) over U.S. Patent No. 4,877,840 to Chu ("Chu") in view of U.S. Patent No. 6,469,188 to Miller et al. ("Miller"). Applicants respectfully traverse the rejection.

Claim 8 recites "[a] method for granulating a homopolymer obtained by polymerizing an α -olefin with 3 to 20 carbon atoms using a metallocene catalyst, the method comprising: melting the homopolymer; and melt-kneading the homopolymer while cooling the homopolymer to a temperature of the melting point (T_m -D) of the homopolymer or less; wherein: the homopolymer satisfies the following (1) to (3): (1) the homopolymer is a crystalline resin with a melting point (T_m -D) from 20 to 120°C; (2) a crystallization time of the homopolymer is 3 minutes or more; and (3) a PP isotacticity [mm] of the homopolymer is 50 to 80 mol%" (emphasis added). Chu and Miller do not disclose or suggest such a method.

Claim 8 is directed to a method for granulating a homopolymer of an α -olefin with 3 to 20 carbon atoms. The resultant granules are composed of a single homopolymer and do not contain other components (e.g., such as the polyisobutylene modifying agent of Chu – see column 3, lines 11 to 13). The method of claim 8 is, thus, different from the method of Chu at least with respect to the compositions of the relevant obtained granulates.

Chu is directed to a method in which the objective is to obtain a concentrate of a modifying agent in a polyolefin matrix. *See Chu*, column 1, lines 4 to 6. There is no indication in Chu that a homopolymer (i.e., the polyolefin matrix) could or should be granulated without the modifying agent. In fact, preparing a granulate without the modifying agent would be contrary to the very purpose of the method of Chu. *See* MPEP §2143.01 (citing *In re Gordon*, 221 USPQ 1125 (Fed. Cir. 1984)) ("If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification").

By contrast, an object of the method of claim 8 is to reduce the tackiness of granules of a homopolymer of an α -olefin with 3 to 20 carbon atoms and to prevent blocking of the granules. *See* present specification, paragraphs [0001] and [0006]. There is nothing in Chu that would have led a skilled artisan to select the features of method of claim 8 or to attempt to achieve the object of the method of claim 8.

Miller discloses a metallocene catalyst that may be used to produce homopolymers, such as the homopolymers that are granulated according to claim 8. *See Miller*, Abstract. However, even if a homopolymer obtained using the catalyst of Miller was employed as the polyolefin matrix in the method of Chu, the resulting method would not satisfy claim 8. That is, because, the modifying agent of Chu is essential to the disclosed method, the granulate obtained from the combined method would not be a homopolymer granulate, as in the case of claim 8. Thus, Miller does not remedy the deficiencies of Chu.

As neither Chu nor Miller discloses or suggests a method by which a granulate of a homopolymer is obtained, the combination of references fails to disclose or suggest each and every feature of claim 8.

As explained, claim 8 would not have been rendered obvious by Chu and Miller. Claim 9 depends from claim 8 and, thus, also would not have been rendered obvious by Chu

and Miller. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

New Claims

By this Amendment, new claims 20 and 21 are presented. New claims 20 and 21 depend from claim 8 and, thus, are believed to be patentable for at least the reasons discussed above with respect to claim 8.

Conclusion

For the foregoing reasons, Applicants submit that claims 8 and 9 are in condition for allowance. Prompt reconsideration and allowance are respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon



Jacob A. Doughty
Registration No. 46,671

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)